

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA**

Robert W. Johnson,	)	
	)	
Plaintiff,	)	<b>REPORT AND RECOMMENDATION</b>
vs.	)	
	)	
Toomey Abbot Towers and Syracuse	)	
Housing Authority,	)	
	)	Case No. 1:24-cv-219
Defendants.	)	

Robert W. Johnson, proceeding pro se, filed a motion to proceed in forma pauperis (IFP) and a proposed complaint. Johnson identifies himself and the defendant as residents of New York. (Doc. 1-2). He claims that “ON 10/22/2024 TOOMEY ABBOT TOWERS AND SYRACUSE HOUSING AUTHORITY DISCRIMINATED AGAINST ROBERT W JOHNSON AND DENIED ROBERT W JOHNSON RIGHTS TO ADMISSIONS FOR PROPERTY RENTAL(S) AND UPDATES DUE TO HIS RACE, AGE, SEX, RELIGION, RETALIATION, CREED, EDUCATION, WORK HISTORY AND DISABILITIES” (Doc. No. 1-1). He alleges no facts in support of his claims, however.

Johnson’s motion to proceed IFP should be denied for two reasons: (1) venue is improper; and (2) Johnson has not stated any plausible claim. Under 28 U.S.C. § 1391(b), a federal civil action may be brought in a judicial district where any defendant resides or in a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred. Johnson does not assert any party resides in North Dakota and does not assert any events giving rise to his claim occurred in the District of North Dakota. (Doc. 1-1). Additionally, Johnson makes no factual allegations and therefore has not stated a plausible claim under Bell Atlantic Corp. v. Twombly, 550

U.S. 544 (2007) and Ashcroft v. Iqbal, 556 U.S. 662 (2009).

The undersigned therefore **RECOMMENDS** that Johnson's motion to proceed IFP (Doc. 1) be denied and the case be closed. The undersigned further recommends that if Johnson wishes to pursue his complaint in this district and pays the \$405 civil filing fee, the case be reopened.

**NOTICE OF RIGHT TO FILE OBJECTIONS**

Pursuant to D.N.D. Civil L.R. 72.1(D)(3), Johnson shall have until December 9, 2024, to file objections to this Report and Recommendation. Failure to file appropriate objections may result in recommended action without further notice or opportunity to respond.

**IT IS SO ORDERED.**

Dated this 20th day of November, 2024.

/s/ Clare R. Hochhalter  
Clare R. Hochhalter, Magistrate Judge  
United States District Court